



PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(MBHB Case No. 02-742-N; 400/142)

In the Application of:

McSwiggen et al.

Serial No.: 10/758,155

Filing Date: January 12, 2004

For: RNA Interference Mediated Inhibition
Of Vascular Growth Factor and Vascular
Endothelial Growth Factor Receptor Gene
Expression Using Short Interfering
Nucleic Acid (siNA)

Examiner: TBA

Group Art Unit: TBA

Confirmation No. 5758

Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

TRANSMITTAL LETTER

In regard to the above identified application:

1. We are transmitting herewith the attached papers for the above identified new patent application:

- ☒ Information Disclosure Statement;
- ☒ Information Disclosure Statement (IDS) PTO-1449 Form; and
- ☒ Return Receipt Postcard.

2. With respect to additional fees, no additional fee is required.

3. GENERAL AUTHORIZATION: Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450 on July 20 2004.

By:


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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 35 C.F.R. Section 1.56 and 37 C.F.R. Section 1.97 - 1.98, the Applicant wishes to make the following references of record in the above-identified application. This application is a continuation-in-part of U.S. Serial No. 10/665,951 filed September 18, 2003, and is relied upon for an earlier filing date under 35 U.S.C. Section 120. In accordance with rule 37 C.F.R. Section 1.98(d), only copies of references not previously cited and submitted to the Patent and Trademark Office with the prior application U.S.S.N. 10/665,951 are enclosed for the convenience of the Examiner (documents marked with "*" are not enclosed). All references cited are also listed in the PTO-1449 form enclosed herewith. It is requested that each document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a

rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

The Office has waived the requirement under 37 C.F.R. Section 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC § 371 after June 30, 2003. In accordance with this waiver, cited U.S. patents and U.S. patent application publications are not enclosed.

In the judgment of the undersigned, portions of the listed references may be material to the Examiner's consideration of the presently pending claims. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. Section 102 or Section 103.

Applicants do not believe any fee is due with this submission. If this belief be in error and the Patent Office determines that the fee prescribed in the relevant portion of 37 C.F.R. Section 1.97 is applicable, the undersigned attorney by his signature hereby authorizes any such fee to be debited from Deposit Account 13-2490.

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- * Hoffman et al., U.S. Serial No. 09/226,044, filed January 5, 1999
- * Matulic-Adamic et al., U.S. Serial No. 10/151,116, filed May 17, 2002
- * Vargeese et al., U.S. Serial No. 10/201,394, filed August 13, 2001
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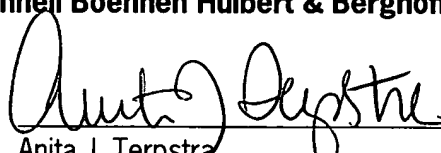
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Applicant:

McSwiggen et al.

Filing Date:

January 12, 2004

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Examiner Initial		Document Number	Filing Date	Name	Class	Subclass	Publication Date if Appropriate
	*	09/226,044	07/12/01	Hoffman et al.			
	*	10/151,116	05/17/02	Matulic-Adamic et al.			
	*	10/201,394	08/13/01	Vargeese et al.			
	*	10/287,949	11/04/02	Pavco			
	*	10/306,747	11/27/02	Pavco			
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	*	10/438,493	05/15/03	Pavco et al.			
	*	10/444,853	05/23/03	McSwiggen et al.			
	*	10/664,668	09/18/03	McSwiggen et al.			
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FORM PTO-1449
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	*	10/757,803	01/14/04	McSwiggen et al.			
	*	10/758,155	01/12/04	McSwiggen et al.			
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	*	4037501	08/03/00	AU (Kreutzer et al.)				
	*	2,359,180	08/03/00	CA (Kreutzer et al.)				
	*	1144623	08/03/00	EP (Kreutzer et al.)				
	*	89/02439	03/23/89	WO (Arnold et al.)				
	*	90/14090	11/29/90	WO (Gillespie et al.)				
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	*	92/07065	04/30/92	WO (Eckstein et al.)				
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	*	94/02595	02/03/94	WO (Sullivan et al.)				
	*	94/01550	01/20/94	WO (Agrawal et al.)				
	*	95/06731	03/09/95	WO (Usman et al.)				
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	*	96/10390	04/11/96	WO (Ansell et al.)				
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	*	96/10392	04/11/96	WO (Holland et al.)				
	*	96/18736	06/20/96	WO (Beigelman et al.)				
	*	97/26270	07/24/97	WO (Wincott et al.)				

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	*	01/04313	01/18/01	WO (Satishchandran et al.)				
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	*	01/38551	05/31/01	WO (Grossniklaus et al.)				
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		Filing Date: January 12, 2004	Group:

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	*	PCT/US03/05028	02/20/03	McSwiggen et al.				
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